

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE JAMESTOWN S'KLALLAM TRIBE  
AND  
THE WASHINGTON STATE  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
CHILDREN'S ADMINISTRATION  
FOR  
SHARING RESPONSIBILITY IN DELIVERING CHILD WELFARE SERVICES  
TO  
CHILDREN OF THE JAMESTOWN S'KLALLAM TRIBE**



## Table of Contents

<b>I. INTRODUCTION</b>	2
<b>II. DEFINITIONS</b>	2
<b>III. PURPOSE</b>	3
<b>IV. AUTHORITY</b>	3
<b>V. JURISDICTION AND QUALITY ASSURANCE</b>	3
<b>VI. EXPERT WITNESSES ON THE JAMESTOWN S'KLALLAM CULTURE AND COMMUNITY</b>	4
<b>VII. CHILD PROTECTIVE SERVICES</b>	4
<b>VIII. SERVICES FOR CHILDREN UNDER THE JURISDICTION OF THE TRIBE</b>	5
<b>IX. SERVICES FOR CHILDREN UNDER THE JURISDICTION OF THE STATE</b>	5
<b>X. INFORMATION SHARING AND CONFIDENTIALITY</b>	6
<b>XI. COLLABORATIVE ACTIONS AND SERVICES</b>	6
<b>XII. IMPASSE AND DISPUTE RESOLUTION</b>	7
<b>XIII. LEGAL BASIS FOR ICW ACTIVITIES, SERVICES AND RELATIONSHIPS</b>	7
<b>XIV. EFFECT AND MODIFICATION</b>	8
<b>APPENDIX A COMMUNICATION PROTOCOLS</b>	9
<b>APPENDIX B POINTS OF CONTACT LIST - STATE</b>	10
<b>APPENDIX C POINTS OF CONTACT LIST - DSHS/CA - REGIONS</b>	12
<b>APPENDIX D DSHS STATE WIDE SERVICES</b>	14
<b>APPENDIX E LIST OF EXPERT WITNESSES</b>	21
<b>APPENDIX F ORGANIZATIONAL CHARTS</b>	22
<b>APPENDIX G INFORMATION SHARING AND CONFIDENTIALITY</b>	26
<b>APPENDIX H TRIBAL COUNCIL RESOLUTION</b>	27

### **I. INTRODUCTION**

This memorandum of agreement ("MOA") is entered into between the Jamestown S'Klallam Tribe ("Tribe") and the Washington State Department of Social and Health Services Children's Administration ("CA"), acting in its representative capacity. This MOA is based on the fundamental principles of the government-to-government relationship acknowledged in the 1989 Centennial Accord. It will supercede the existing Jamestown S'Klallam DCFS MOA.

This MOA recognizes the sovereignty of the Tribe and of the State of Washington and each respective sovereign's interests.

The Tribe and CA acknowledge that the Tribe has exclusive and/or concurrent jurisdiction over a child welfare proceeding. Each acknowledges that the law of the jurisdiction in which a child welfare proceeding is initiated and maintained is sovereign within that jurisdiction and governs the proceeding.

### **II. DEFINITIONS**

Terms used in this MOA, which are found in the Tribal-State Agreement of 1987 ("Tribal-State Agreement"), which is incorporated into this MOA by reference, will have the same definitions as set out in the Tribal-State Agreement. The following terms from the Tribal-State Agreement are set out here for easy reference (the term "Agreement" in the following cited definitions refers to the Tribal-State Agreement):

1. Jurisdiction - The parties have agreed to enter into this MOA (the Tribal-State MOA) based on the premise that DSHS and the Tribe, pursuant to P.L. 83-280,



have concurrent civil jurisdiction with respect to the matters covered by this Agreement that arise within the Tribe's reservation or domiciled on such reservation. However, in furtherance of this Agreement, DSHS agrees to provide the Tribe with an opportunity to exercise tribal jurisdiction before DSHS takes any action to invoke state court jurisdiction, except as otherwise specified in this Agreement.

The parties understand that the Tribe's position is that, under P.L. 83-280, the Tribe has exclusive civil jurisdiction over matters concerning Indian children in circumstances involving termination of parental rights, involuntary foster care placement and adoption proceedings, and application of dependency neglect, children in need of supervisions, and child abuse laws. The parties understand that nothing in this Agreement may be deemed as a waiver or abandonment of the Tribe's exclusive jurisdiction position with respect to these matters.

2. Indian Child - any unmarried person who is under age eighteen and is either:
  - a. A member of the Tribe; or
  - b. Eligible for membership in the Tribe and is the biological child of a member of the Tribe; or
  - c. Eligible for membership in another tribe and is the biological child of a member of an Indian tribe and is domiciled or resident on the reservation of the Tribe.

In addition to the preceding definitions, the following definitions also apply to this MOA:

1. Tribal Council - the governing body of the Tribe.
2. DSHS - Department of Social and Health Services, a cabinet level department of the administrative branch of the Washington State Government.
3. CA - Children's Administration, an administrative unit of DSHS.
4. CPS - Child Protective Services, a service of the CA - DSHS.
5. DCFS - the Division of Children and Family Services, a division of the CA - DSHS.
6. CWS - Children's Welfare Service, a service of the DCFS.
7. FRS - Family Reconciliation Services.
8. FPS - Family Preservation Service.
9. Intensive Services - Services offered by DSHS in addition to its core services for children and families at special risk.
10. Tribal Court or NICS - The Northwest Intertribal Court System, of which the Tribe is a participant, located at 20818 44th Ave. W, Suite 120, Lynnwood, WA 98036; Phone: 425 774-5808; Fax: 425 744-7704; Email: nics@nics.ws.



See Appendix F to this MOA for relevant organizational charts of the respective parties and their administrative units.

### **III. PURPOSE**

Washington State law authorizes CA to provide for the care of Indian children who are in the custody of an Indian tribe, subject to the same eligibility standards and rates of support applicable to children in the custody of the state. The purpose and objective of this MOA is to clarify the roles and responsibilities of the Tribe and CA and to enhance coordination and cooperation between the Tribe and CA in providing appropriate child welfare services to Indian children who are under the exclusive jurisdiction of the Tribe and to stipulate how CA will cooperate with the Tribe when its children are under the concurrent jurisdiction of the Tribe and CA or when its children are under state court jurisdiction and placed in the custody of CA. The overarching purpose of this MOA is the safety and well being of Indian children.

### **IV. AUTHORITY**

The Indian Child Welfare Act (ICWA), 25 U.S.C. § 1919, authorizes states and tribes to enter into agreements for the care and custody of Indian children. Under the Tribal-State Agreement, both the Tribe and CA are authorized to enter into this MOA. Additionally, the Tribe is specifically authorized to enter into this MOA by the Tribal Council Resolution, attached to this MOA as Appendix I. The CA is specifically authorized to enter into this MOA by RCW chapter 39.34, the Interlocal Cooperation Act, which permits a department or agency of the state to enter into an agreement with an Indian tribe for their mutual advantage and cooperation. CA recognizes that the Tribe's execution of this MOA does not constitute a waiver of its right to sovereign immunity.

### **V. JURISDICTION AND QUALITY ASSURANCE**

Issues regarding jurisdiction over Indian children of the Tribe that arise between CA and the Tribe are controlled by the existing Tribal-State Agreement.

However, if the provisions of this Agreement and the Tribal-State Agreement are in conflict with the provisions of the RCW or Washington appellate court decisions, then the parties agree to enter into good faith negotiations to resolve those conflicts, as appropriate, and in no particular order, by: 1) amending this Agreement and/or the Tribal-State Agreement, 2) working to secure changes to the Revised Code of Washington ("RCW"), or 3) using a combination of both approaches. The parties agree that any and all changes to agreements and/or state law would require such agreements and/or state law to be in full compliance with the ICWA.

Issues regarding the quality of services to be provided by CA to the Tribe and its children are covered by CA's publication titled "Indian Child Welfare Services - Case Review Questions and Decisions Rules." The provisions of that document are also incorporated into and made a part of this MOA, by reference.



## **VI. EXPERT WITNESSES ON THE JAMESTOWN S'KLALLAM CULTURE AND COMMUNITY**

In accordance with Part III, Section 19 of the Tribal State Agreement, the Tribe and CA will collaborate in a joint effort to establish a mutually acceptable list of qualified experts, including qualified experts in the interracial placement of Indian children, and qualified expert witnesses, identified by the Tribe, who have knowledge and experience regarding the culture, community, history and traditions of the Tribe. Additionally, these expert witnesses will have a knowledge of the issues related to Indian children, the Tribal-State Agreement, the ICW Act, etc. Such a list, when it is developed, may be attached to this MOA as Appendix F.

In the absence of a written list, the Tribe and CA will cooperate on a case-by-case basis to select qualified experts or qualified expert witnesses, approved by the Tribe, for cases involving Tribal children. CA will utilize such experts as provided for in the DSHS Indian Child Welfare Manual ("Manual").

## **VII. CHILD PROTECTIVE SERVICES**

The Tribe and CA recognize the importance of working together to protect children from abuse or neglect. The process for determining who has responsibility for investigating child abuse or neglect occurring on the reservation, or within the state, will be negotiated between the Tribe and CA, as follows:

1. In every case in which an allegation of child abuse or neglect of a child who resides on the reservation, or a Tribal child who resides within the state, is received by CA, the Tribe will be notified of the allegation. Notification will be in writing and documented if done by phone, fax, or email, as soon as possible, but at a maximum, within 24 hours for all cases, including cases that are not screened-in by CA for investigation. The intent of this provision is to insure the Tribe's timely right to intervene and/or to elect to join in the investigation.
2. If an allegation involves apparent criminal activity, Tribal/State/local law enforcement in the jurisdiction where the alleged abuse or neglect occurred will be notified.
3. The Tribe and CA each agree to inform the other of the outcome of CPS investigations that result in a "finding" for abandonment, child abuse, or child neglect involving Tribal children.
4. The Tribe specifically requests CA to investigate all screened-in child abuse/neglect allegations occurring on the reservation, i.e.:
  - Referrals received by the Tribe (including law enforcement) will be forwarded to CA.
  - CPS investigation will be completed within 45 days and the Tribe will be given the investigative report (no matter what the finding) and any documentation needed to file a dependency action in Tribal Court.



If CA does the investigation, the finding of abuse or neglect will be made using state law and CA rules, specifically WAC 388-15. If CA finds that abuse or neglect has occurred, the subject of the investigation will have the right to challenge that finding under state law.

#### **VIII. SERVICES FOR CHILDREN UNDER THE JURISDICTION OF THE TRIBE**

Children served by the Tribe are eligible for services funded and contracted by CA. Eligibility for these services must be consistent with the eligibility criteria used for other, non-Indian children served by CA. A description of the services currently available to Tribal families and children, including a limited description of the eligibility criteria for those services, is attached to this MOA as Appendix E.

When the Tribe requests child welfare services for children and youth being served by the Tribe, CA will:

1. Assign the case to a specific social worker, selected by CA, but who recognizes that the Tribe has custody of, and decision-making authority, over the child, and who is willing to accept the customs and traditions of the Tribe. The CA social worker will not be responsible for case management, but instead will assist the Tribal social worker in accessing services, unless a contract for case management services for the child has been separately entered into;
2. Maintain a child file consisting of the referral information, the Tribal case plan, Tribal court documents, and payment information; and
3. Work with the Tribal social worker to determine what services would best meet the needs of the child and, at the request of the Tribe, pursue intensive services for the child, using established CA procedures. The CA social worker will help make the Tribe aware of appropriate services available through CA, as well as how to access those services.

Information regarding eligibility for services will be provided by the Tribal social worker and supplemented by the CA social worker when requested. The Tribal social worker has responsibility for recommending and overseeing the administration of services.

CA will provide a point of contact to assist the Tribe in accessing services. The point of contact is the Tribe's contact for requesting services and will work with the Tribe to clarify eligibility for services, to expedite services and to verify payment. The point of contact will be available to assist, or arrange for another worker to assist, the Tribe in preparing the necessary documentation to request services and will invite the Tribal social worker to attend meetings to approve intensive services, such as Behavior Rehabilitation Services, exceptional foster care, specialized teen mother programs, and services for sexually aggressive youth.

The Tribe will provide a point of contact to work with CA on service issues. The state, county, local government and Tribal contacts are listed in Appendices B, C and D.

#### **IX. SERVICES FOR CHILDREN UNDER THE JURISDICTION OF THE STATE**

If a child who is a citizen or may be eligible for citizenship in the Tribe is the subject of a potential dependency action to be filed by CA in the juvenile court of the state, CA will



immediately notify the Tribe of the potential court action, prior to any filing, and its right to intervene in the action. Further, at the request of the Tribe, CA will provide information and assistance to the Tribe to facilitate the filing of the action initially in Tribal court or will assist the transfer of such action to Tribal Court, if the Tribe so elects.

If the action has been filed in state court and jurisdiction of the action is not transferred to Tribal court, then the Tribe will designate a specific Tribal social worker to work with the CA social worker to assist in locating an appropriate placement and to consult with the CA social worker in developing an appropriate case plan.

Placement of Indian children of the Tribe, under the jurisdiction of the state court, shall be in accordance with the provisions of the Manual. Unless otherwise specified, the following order of preference for placement shall be used:

- First Priority - A member of the Indian child's extended family.
- Second Priority - A Jamestown S'Klallam foster home, licensed and approved by an authorized licensing authority.
- Third Priority - An Indian foster home, licensed and approved by an authorized licensing authority.
- Fourth Priority - A Non-Indian foster home, licensed, approved, or specified by the Jamestown S'Klallam Tribe.

A change of placement shall follow the placement preferences set out in this section of the MOA.

#### **X. INFORMATION SHARING AND CONFIDENTIALITY**

It is the policy of both the Tribe and CA to share with each other full information about a child that will assist the other party in protecting a child and in assessing the child's need and eligibility for and receipt of services. CA is required to follow state and federal laws governing confidentiality of children's records. The Tribe agrees that it will follow state and federal law on confidentiality, or Tribal law, if the Tribal Code meets or exceeds state and federal law requirements to protect the records of children receiving services from CA.

CA agrees to share information with the Tribe about any Indian child who lives on the reservation and about any child who is a member of, or eligible for membership in, the Tribe to the fullest extent permitted under the law. This information will be provided to the Tribe without the need for a request from the Tribe.

Information on guidelines to assist social workers in sharing information with caregivers, providers, educators and others are attached to this MOA as Appendix H.

#### **XI. COLLABORATIVE ACTIONS AND SERVICES**

The parties agree to collaborate on the following actions and/or services:

1. CA will notify the Tribe of relevant training opportunities for Tribal staff.



2. The Tribe will provide technical assistance and consultation on Native American cases, as requested by CA.
3. The Tribe will designate at least one candidate from the Tribe for representation on the Local Indian Child Welfare Advisory Committee.
4. The Tribe will provide training on Indian child welfare issues to designated CA caseworkers.

## **XII. IMPASSE AND DISPUTE RESOLUTION**

When a Tribal social worker makes a recommendation on the care, welfare and placement of a child of the Tribe and the state social worker is not in MOA, an impasse will be called. The Tribe and state worker will meet with the Tribe's ICW supervisor and the CA supervisor to resolve the differences. If it is not resolved, the impasse will still be in place and the CA Area Manager and Regional Administrator will meet with the Tribe's ICW Supervisor and the Director of the Tribe's Social and Community Services Department ("SCS"). If the differences are still not resolved, the CA assistant Secretary/DSHS Secretary and a member of the Tribal Council will work toward resolving the differences. If after that, a satisfactory decision has not been reached, the Tribe may dispute the DSHS decision and appeal it to the Governor.

Disputes or disagreements regarding the application or interpretation of this MOA will be resolved by the parties, starting at the lowest level and working up, within the following designated levels:

1. CA casework supervisor - Tribal ICW social worker.
2. CA Area Administrator - Tribal ICW Supervisor or designee.
3. CA Regional Director - Tribal SCS Director.
4. CA Assistant Secretary - Tribal Council Member.

If a dispute or disagreement remains unresolved after following the above listed procedures, nothing in this MOA shall be interpreted as preventing the parties from seeking resolution at a higher level within the state or Tribal governments.

To the degree, if any, the provisions of this section of the MOA conflict with Chapter 1 of the Manual on impasses between the Tribe and the DSHS related to matters subject to this MOA, the provisions of the Manual shall control.

Disputes or disagreements about controlling law and conflicts between this Agreement, the Tribal-State Agreement and the RCW will be handled as set out in Section V of this Agreement.

## **XIII. LEGAL BASIS FOR ICW ACTIVITIES, SERVICES AND RELATIONSHIPS**

For this MOA and for Indian child welfare issues in general, the following is a list of the statutory and regulatory authorities (subject to interpretation by the courts, and amendment by the respective legislative bodies with jurisdiction over an act or regulation, from time-to-time):



- The United States Constitution
- 25 USC 1901, et seq. - Indian Child Welfare Act, and implementing regulations and guidelines
- 42 USC 675 - the Social Security Act, and implementing regulations and guidelines
- 42 USC 671a - Inter-Ethnic Placement Act
- RCW 13.04 - Basic Juvenile Court Act
- RCW 13.32a - Family Reconciliation Services
- RCW 13.34 - Juvenile Court Act - Dependency
- RCW 13.50 - Juvenile Records
- RCW 26.09 - Marriage Dissolution
- RCW 26.10 - Third-Party Custody
- RCW 26.26 - Uniform Parentage Act
- RCW 26.33 - Adoption
- RCW 26.34 - Interstate Compact on the Placement of Children
- RCW 26.44 - Abuse of Children
- RCW 74.13 - Child Welfare Services
- RCW 74.14a - Children and Family Services
- RCW 74.14b - Children's Services
- RCW 74.14c - Family Preservation Services
- RCW 74.15 - Licensing of Agencies Providing Care of Children, Expectant Mothers, and Developmentally Disabled
- The State-Tribal Centennial Accord of 1989
- Tribal-State Indian Child Welfare MOA of 1987
- Title 388 WAC - Department of Social and Health Services
- Treaties between Indian Tribes and the U. S. government
- Agreements between Indian Tribes and the state of Washington
- Other applicable federal and state laws
- Federal, state and Tribal court decisions
- Jamestown S'Klallam Tribal Code

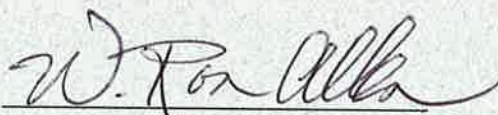
#### **XIV. EFFECT AND MODIFICATION**

This is a working document to guide the Tribe and CA in supporting Indian children in need of services. Its description of services, policies, procedures and processes may be changed as programs are added, changed or deleted, eligibility requirements are added, changed or deleted, or as circumstances otherwise warrant.

This MOA may be modified at any time by mutual written agreement of the Tribe and CA.

IN WITNESS HEREOF, and by means of the signatures below, the Tribe and CA hereby agree to abide by this MOA, effective upon the signature of both parties.

For the Tribe:



By: W. Ron Allen  
Title: Tribal Chairman/CEO

Date: 8/7/2008

For the State of Washington:



By: Robin Arnold Williams  
Title: Secretary, DSHS

Date: 8/7/08



## **APPENDIX A COMMUNICATION PROTOCOLS**

### **Purpose:**

To assist DSHS staff when communicating with Tribal Governments and Recognized American Indian Organizations (RAIO).

DSHS will transmit the following types of formal correspondence with cover letters:

- Submission of contracts and contract amendments
- Consultation requests and announcements
- Announcement of scheduled monitor or site visits
- Monitoring/site visit reports
- Announcement of Administrative Policy 7.01 meetings
- When seeking formal input

Formal correspondence will be addressed in the following matter:

- Honorable Chairman, Chairperson, President, with a salutation of Dear Tribal Chairman, Chairperson, President, or CEO
- Dear RAIO Director

With copies to:

- Respective administration staff according to internal protocol
- The administration's Tribal Liaison
- Indian Policy and Support Services (IPSS) -  
Indian Policy Advisory Committee (IPAC) Delegate; IPSS will forward by email appropriate correspondence to IPAC delegates
- Tribal Program Administration, IPAC Delegate
- For contract materials, Central Contract Services

DSHS - IPSS will maintain a current distribution list of Tribal Chairs, Recognized American Indian Organizations (RAIO) Directors and IPAC Delegates.

DSHS - Regional Administrators will follow these communications guidelines:

- Ongoing Department to Tribal Peer-to-Peer communications at the local level
- Administrative Policy 7.01 meetings as agreed by the Tribes, RAIO and administration -  
Include notification of meeting to IPSS Regional Manager  
Include timely notification for cancellation of meetings to the Tribes, RAIO and IPSS Regional Manager

Letters are required for:

- Contracts, with a copy to Central contracts and IPSS - Olympia
- Visits
- Compliance matters



**APPENDIX B  
POINTS OF CONTACT LIST - STATE**

**GENERAL:**

- Notice related to issues covered by this MOA will be provided by CA to the Tribe by contacting:  
Name: W. Ron Allen, Tribal Chairman/CEO  
Address: c/o Jamestown S'Klallam Tribe, 1033 Old Blyn Hwy., Sequim, WA 98382  
Phone: 360 683-1109  
Email: rallen@jamestowntribe.org
- Notice related to issues covered by this MOA will be provided by the Tribe to CA by contacting:  
Name: Myra Casey, Regional Administrator  
Address: 6840 Capitol Blvd., PO Box 45714 Tumwater, WA 98504-5714  
Phone: (360) 725-6820  
Email: myrc300@dshs.wa.gov

**SERVICES:**

- The CA tribal liaison for children who are to be served under this MOA is:  
Name: Tom Stokes, Area Manager  
Address: 201 West 1<sup>st</sup> Street Suite 2, Port Angeles, WA 98362  
Phone: (360) 565-2270  
Email: stto300@dshs.wa.gov
- If emergency or after-hours services are needed by a child in Tribal care, the CA contact is:  
Name: Afterhours Intake 1-800-562-5624  
Address:  
Phone:  
Email:
- The Tribal point of contact for services related issues is:  
Name: Liz Mueller, Family Services Administrator  
Address: c/o Jamestown S'Klallam Tribe, 1033 Old Blyn Hwy., Sequim, WA 98382  
Phone: 360 681-4628  
Email: lmueller@jamestowntribe.org
- The Tribal point of contact for the ICW Case Manager is:  
Name: Tanya Barndt Pankowski, ICW Caseworker  
Address: c/o Jamestown S'Klallam Tribe, 1033 Old Blyn Hwy., Sequim, WA 98382  
Phone: 360 681-4639  
Email: tbarndt@jamestowntribe.org
- The Tribal point of contact for the Department of Social and Community Services:  
Name: Jessica Payne, Director



Address: c/o Jamestown S'Klallam Tribe, 1033 Old Blyn Hwy., Sequim, WA  
98382  
Phone: 360 681-4657  
Email: [jpayne@jamestowntribe.org](mailto:jpayne@jamestowntribe.org)



**APPENDIX C  
POINTS OF CONTACT LIST - DSHS/CA - REGIONS**

**CA Regional Administrators:**

<b>Region 1 Marty Butkovich</b>	<b>(509) 363-3363</b>
<b>Region 2 Ken Nichols</b>	<b>(509) 454-6930</b>
<b>Region 3 Randy Hart</b>	<b>(425) 339-4776</b>
<b>Region 4 Joel Odimba</b>	<b>(206) 691-2513</b>
<b>Region 5 Nancy Sutton</b>	<b>(253) 983-6260</b>
<b>Region 6 Myra Casey</b>	<b>(360) 725-6820</b>

**CA Area Managers:**

**Region 1**

Tim Abbey Area Administrator (Spokane CPS/CWS) B32-21 (509) 363-3393  
Launi Burdge Area Administrator (Spokane CPS/CWS, B32-21 (509) 363-3412  
Sandra Turner Area Administrator (Spokane ICW & Home Finders) B32-21 (509) 363-3444  
Brent Borg Area Administrator (Regional Adoptions, Lincoln Co, B32-21 (509) 363-3348  
Spokane Home Studies/Guardianships)  
Kris Randall Area Administrator (Colville, Colfax, Clarkston, B32-21 (509) 363-3461  
Newport & Republic)  
Debbie Fenske Area Administrator (Moses Lake, Night Staff, Spokane Intake) B13-3 (509)  
764-5688  
Russ Haugen Area Administrator (Wenatchee, Omak) B4-2 (509) 667-6137

**Region 2**

Ernie Gowen Area Administrator (Sunnyside/Ellensburg/Reg. Adoptions) B19-2 (509) 836-  
5771  
Carlos Carrillo Area Administrator (Richland/Walla Walla) B3-2 (509) 737-2802  
Berta Norton Area Administrator (Toppenish/Goldendale/White salmon) B50-2 (509) 865-  
1457  
Mary Lou Szatkiewicz Area Administrator (Yakima) B39-12 (509) 225-6514

**Region 3**

Sandy Kinney Area Administrator (Everett) N31-10 (425) 339-4778  
Yen Lawlor Area Administrator (Lynnwood/Sky Valley) N52-2 (425) 673-3105  
Kathy Ramsay Area Administrator (Bellingham/Friday Harbor) No Svc (360) 647-6106  
Pam McKeown Area Administrator (Smokey Point/Adoptions) No Svc (360) 651-6954  
Veronica Hinojosa Area Administrator (Mount Vernon/Oak Harbor) No Svc (360) 416-7486

**Region 4**

Bernice Morehead Area Administrator (Native American Unit) N56-1 (206) 923-4932  
Joel Odimba Area Administrator (African-Amer. Children's Serv.) N41-4 (206) 760-2358  
Stephanie Allison-Noone Area Administrator (Central Services) N17-22 (206) 691-230 2  
Pat Barnhart Area Administrator (King East) N40-4 (425) 649-4178  
Gwen Seagroves Area Administrator (King West) N56-2 (206) 691-2524



Gia Wesley Area Administrator (King South) N43-4 (253) 372-6001

**Region 5**

**Tacoma Field Office**

Dawn Cooper Area Administrator N27-1 (253) 983-6253

Cheryl Rich Area Administrator N27-1 (253) 983-6264

Betsy Rodgers Area Administrator N27-1 (253) 983-6309

Linda Thomas Area Administrator N27-1 (253) 983-6324

Vacant Area Administrator N27-1 (253) 983-

**Bremerton Field Office** Barb Geiger Area Administrator W18-3 (360) 475-3505

Vacant Area Administrator W18-3 (360) 475-

**Region 6**

Debbie Lynn Area Administrator (Aberdeen, S. Bend, Long Beach) W14-4 (360) 537-4342

Marian Gilmore Area Administrator (Vancouver, Stevenson) S6-7 (360) 993-7868

Becky Smith Area Administrator (Olympia & Shelton) 45715 (360) 725-6712

Bruce Thomas Area Administrator (Centralia, Kelso) S21-2 (360) 807-7126

Tom Stokes Area Administrator (Port Angeles, Forks, Port Townsend) B5-2 (360) 565-2270

**CA Assistant Secretary:**

**Cheryl Stephani**

**(360)902-7820**

**AAG Administrators:**



**APPENDIX D**  
**DSHS STATE WIDE SERVICES**

**A. OUT-OF-HOME SERVICES**

**1. Foster Care**

**Purpose:** Temporary, out-of-home placement for children and youth based on particular needs of the family. (Example: Parental hospitalization and no available family resources);

**How to Access:** See Point of Contact information in Appendices.

**Eligibility Criteria:** Parent(s) must be involved with Tribal Social Worker. Once an intake referral is assigned, CA-DCFS shall provide an assessment of placement request and need. Factors that determine ability to develop placement include the availability of an appropriate placement resource with preference given to Native American placement resources and behavioral needs of child. A referral to the Division of Child Support shall be made for the purpose of determining family's participation in cost of care. Tribal or State Court validation of the voluntary placement is necessary prior to the actual placement. Parents will be involved in services such as mental health and drug and alcohol as determined by individualized family case plan.

**NOTE:** Some Tribes and/or Native American organizations are also Private Child Placing Agencies (CPA). Such programs are able to place children into foster care and send necessary paperwork, legal documents, etc., to DCFS so that payment for the placement can be initiated. LCS is a private child-placing agency.

**2. Residential Treatment/Group Care**

**Purpose:** Residential placement of a child/youth who has significant behavioral, emotional, and physical problems, which require a more restrictive placement setting. Residential treatment is time limited from 12 to 18 months in duration. Residential services may also be provided to a child in the child's own home. All residential treatment and group care slots (Behavioral Rehabilitative Services "BRS") are contracted with private providers.

**How to Access:** See Point of Contact information in Appendices.

**Eligibility Criteria:** Less restrictive placement options considered or attempted. Other services such as counseling for child and family have been in place and have not been successful in improving the situation. Placement will be subject to local budget and available placement resources. Group Care (GC) packet to be completed with the assistance of assigned DCFS Social Worker



and sent through DCFS for the approval process. If placement is on a voluntary placement MOA, then it needs to be either Tribal or State court validated. Budget limitations need also to be considered with all placement requests.

### **3. Children's Hospitalization Alternative Program (CHAP)**

- Purpose:** Prevent psychiatric hospitalization of a child or provide services to a child or family coming out of a psychiatric hospitalization setting.
- How to Access:** See Point of Contact information in Appendices.
- Eligibility Criteria:** Parent(s) must be involved with the Tribal Social Worker. Once CWS intake referral is assigned, DCFS shall provide an assessment of placement request and need. Factors that determine ability to develop placement include the availability of an appropriate placement resource with preference given to Native American placement resources and behavioral needs of the child. A referral to the Division of Child Support shall be made for the purpose of determining the family's participation in cost-of-care. Tribal or State Court validation of the voluntary placement is necessary prior to the actual placement. Parents will be involved in services such as mental health and drug and alcohol counseling as determined by an individualized family case plan. Child/youth must be eligible for mental health services as determined by the local Regional Support Network (RSN).

### **6. Independent Living**

- Purpose:** To support and teach youth that have been in foster care the skills required for adult life. Services are provided by contract with a private agency or through purchase of concrete services through DCFS (e.g. graduation costs, skill classes, etc.).
- How to Access:** See Point of Contact information in Appendices.
- Eligibility Criteria:** Youth must have at least one day of DCFS paid placement past their 16th birthday and must be an active case with DCFS.

### **7. Relative Placement**

- Purpose:** To provide for a child's needs during a parent's absence. If a parent or the Court places a child with a person who is recognized as a relative by the Tribe, that relative can access financial and medical assistance (Temporary Assistance for Needy Families "TANF") through the Community Services Office (CSO).
- How to Access:** See Point of Contact information in Appendices.



Eligibility Criteria: Relative status determined by the Tribe. Financial and medical eligibility as determined by TANF rules and regulations. Note: Relatives also have the option to become licensed foster parents and receive foster care payments in lieu of Temporary Assistance to Needy Families (TANF).

## **B. IN-HOME SERVICES**

### **1. Income Eligible Daycare**

Purpose: To provide daycare for low income working families.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: The Income Eligibility Daycare Social Worker will determine each family's eligibility based on household income and household size.

### **2. CPS/CWS Daycare**

Purpose: To support children in their homes by providing parents respite time to go to appointments, counseling, therapy, etc., and provide the children with socialization opportunities.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: Time-limited, parents must have a service contract, no other resources such as relatives, without regard to income. Eligibility for services is also contingent on office budget for this program.

### **3. Intensive Family Preservation (IFPS)**

Purpose: To prevent out-of-home placement of a child or to return a child from out-of-home placement. This is an intensive in-home service with 24-hour on-call availability. Family must be willing to work on an intensive basis. This is a service contracted with private providers.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: Imminent risk of child being removed from household if services not provided or child currently in out-of-home placement and services required for assisting with reunification; parental participation in services; availability of service. There is approximately one opening per month allocated to the Native American office.

### **4. Family Preservation Services (FPS)**

Purpose: To prevent out-of-home placement of a child or to return child from out- of-home placement. This is an intensive in-home service with extensive use of para-professionals with 24-hour on-call availability. Family must be willing to work on an



intensive basis. This is a service contracted with private providers.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: Substantial risk of child being removed from the household within the next 30 days if services not provided or child currently in out-of-home placement and services required for assisting with reunification. Parental participation in services, availability of service and approval of DCFS supervisor. There is approximately one opening per month allocated for the Native American office.

## **5. Home Based Services (HBS)**

Purpose: Prevention of placement. These funds are usually used to access concrete services to meet the needs of families at risk.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: Based on need as assessed by DCFS with assessment based on placement prevention. Each DCFS office has a limited budget. Priority given to children and families under court supervision.

## **6. Family Reconciliation Services (FRS)**

Purpose: To prevent out-of-home placement and reduce conflict between youth age 12 and over and their parents. Services consist of immediate crisis and short-term counseling. Phase II FRS provides up to 15 hours of direct service within a 30-day period. Phase II FRS services are contracted with private agencies. FRS services may also provide assessments to assist families seeking Court-ordered intervention (ARYS and/or CHINS).

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: This is a voluntary service; therefore, all family members must be willing to participate in the service. Services may be limited due to budget allotment for office.

## **7. Sexually Aggressive Youth (SAY)**

Purpose: To provide treatment for identified sexually aggressive youth and counseling for their families.

How to Access: See Point of Contact information in Appendices.

Eligibility Criteria: Child must be in the care and custody of DCFS or the Tribe through voluntary placement or court action. Must meet the state statutory criteria for accessing SAY funds.

## **C. OTHER SERVICES**



**1. What services are available to help runaway or at-risk youth and their families?**

- Family Reconciliation Services (FRS)
- HOPE Centers
- Crisis Residential Centers
- Secure Crisis Residential Centers
- Preservation Services

**2. What specialized services are available to dependent, adolescent youth in foster care?**

- Independent Living Services
- Transition to Independence Programs
- Responsible Living Skills Program
- Residential Services

**3. The Services**

**a. Family Reconciliation Services (FRS)**

FRS is a voluntary program serving runaway adolescents, and youth in conflict with their families. The program targets adolescents between the ages of 13 through 17. FRS services are meant to resolve crisis situations and prevent unnecessary out of home placement. They are not long-term services. The services will assess and stabilize the family's situation. The goal is to return the family to a pre-crisis state and to work with the family to identify alternative methods of handling similar conflicts. If longer-term service needs are identified, FRS will help facilitate getting the youth and his/her family into on-going services.

FRS services may include, but are not limited to:

- Short-term family counseling;
- Crisis Residential Center (CRC) services
- Referrals for substance abuse treatment and/or counseling
- Referrals for mental health services
- Short-term placement
- Family Assessments in conjunction with juvenile court services.

**b. HOPE Centers**

The HOPE Act legislation, passed in 1999, created two new programs to address street youth: HOPE Centers and Responsible Living Skills Programs. HOPE Centers provide temporary residential placements for street youth under the age of 18. These are homeless youth living on the street or other unsafe locations. Youth may self-refer to a HOPE Center for services. Entering a HOPE Center is voluntary. While residing in a HOPE Center, each youth will undergo a comprehensive assessment to include:

- The youth's legal status;



- A physical examination;
- A mental health evaluation;
- A chemical abuse evaluation;
- An educational evaluation of their basic skills, along with any learning disabilities or special needs.

The purpose of the assessment is to develop the best plan for the youth. The plan will focus on finding a permanent and stable home for the youth. This plan might include reunifying the youth with his or her parent(s) or legal guardian and/or getting the youth into a transitional living situation and off the streets.

**c. Crisis Residential Centers**

Crisis residential centers (CRC's) are short-term, semi-secure facilities for runaway youth, and adolescents in conflict with their families. Youth cannot remain in a CRC more than 5 consecutive days. Counselors at the CRC (typically, in collaboration with an FRS Social Worker) work with the family to resolve the immediate conflict. Counselors will also help the youth and family develop better ways of dealing with conflict in the future. The goal is to reunite the family and youth wherever possible. The family will also be referred for additional services if other needs are identified.

**d. Secure Crisis Residential Centers**

The "Becca Bill" (named after a runaway youth who was subsequently killed) established secure crisis residential centers for runaway youth. The Becca Bill authorizes law enforcement to pick up runaway youth, or youth found in "dangerous circumstances", and place them in these physically secure, short-term residential facilities. Youth may not remain in a SCRC longer than 5 consecutive days. Youth may transfer between a SCRC and a CRC, but the total length of stay may not exceed 5 consecutive days. SCRC counselors work with families to resolve the immediate conflict, facilitate a reconciliation between parent and youth, and provide referral to additional services.

**e. Preservation Services**

Preservation Services include Family Preservation Services (FPS) and Intensive Family Preservation Services (IFPS). Family Preservation Services (FPS): Available to families whose children face substantial likelihood of being placed outside of the home or to reunify a child with their family from out-of-home care. FPS is available to families within 48 hours of referral and is offered for a maximum of six months by a contracted service provider. FPS are designed to support families by strengthening their relationships with a variety of community resources. Intensive Family Preservation Services (IFPS): When a family has a child whom the department believes is at imminent risk of foster care placement, the family can be referred for Intensive Family Preservation Services (IFPS) through a contracted community agency. IFPS is a voluntary service that provides up to 20 hours of in-home therapist time each week, for about a forty (40) day period of time. Services are available seven (7) days a week, twenty-four (24) hours a day. Interventions are focused on improving the ability of the family to overcome a crisis situation and to remain together safely.



**4. What services are available to dependent, adolescent youth in foster care?**

**a. Independent Living Services**

Young adults in foster care can receive Independent Living Services to help prepare them for independence before they must leave foster care because they have reached legal adulthood. Throughout the state, community-based agencies and Federally recognized Tribes contract with DCFS to provide skills-based services in the areas of education, employment, housing and life skills to youth over the age of 13.

**b. Transition to Independence Programs**

Former foster care youth ages 18 through 20 who have at least one documented Independent Living Skills plan prior to leaving care may now receive services designed to assist the youth in achieving self-sufficiency. Services may include assistance in employment, education and/or housing.

**c. Responsible Living Skills Program**

The RLS program is intended to provide permanent residential placements for youth who are dependent (in the legal custody of the Division of Children and Family Services) aged 16 to 18 who have not found success in other, traditional, state placement. These youth have been living on the streets or other unsafe locations. Occasionally, youth age 14 or 15 may qualify for residence in an RLS program. Many of these youth will have been placed into RLS programs after living in a HOPE Center. RLS programs will help the youth develop independent living skills in a number of areas:

- Basic education, e.g., GED;
- Job skills;
- Basic life skills: 1) Money management, 2) Nutrition/Meal preparation, 3) Household skills, 4) Parenting, 5) Health care, 6) Access to community resources, and 7) Transportation and housing options.

**d. Residential Services**

Residential services include Behavioral Rehabilitation Services and Children's Hospitalization Alternative Program. The administration contracts with community agencies for residential services for children and youth with serious emotional and/or behavioral difficulties who cannot be adequately served in regular foster care. Residential services provide a higher standard of care and services for children and youth with the most severe needs. Beginning in FY95, DCFS began contracting with community agencies for services to this population, which can include in-home intervention, treatment foster care, as well as group home placement.



**APPENDIX E**  
**LIST OF EXPERT WITNESSES**

Liz Mueller, member, Jamestown S’Klallam Tribe

Trina Bridges, member, Jamestown S’Klallam Tribe

Kathy Duncan, member, Jamestown S’Klallam Tribe

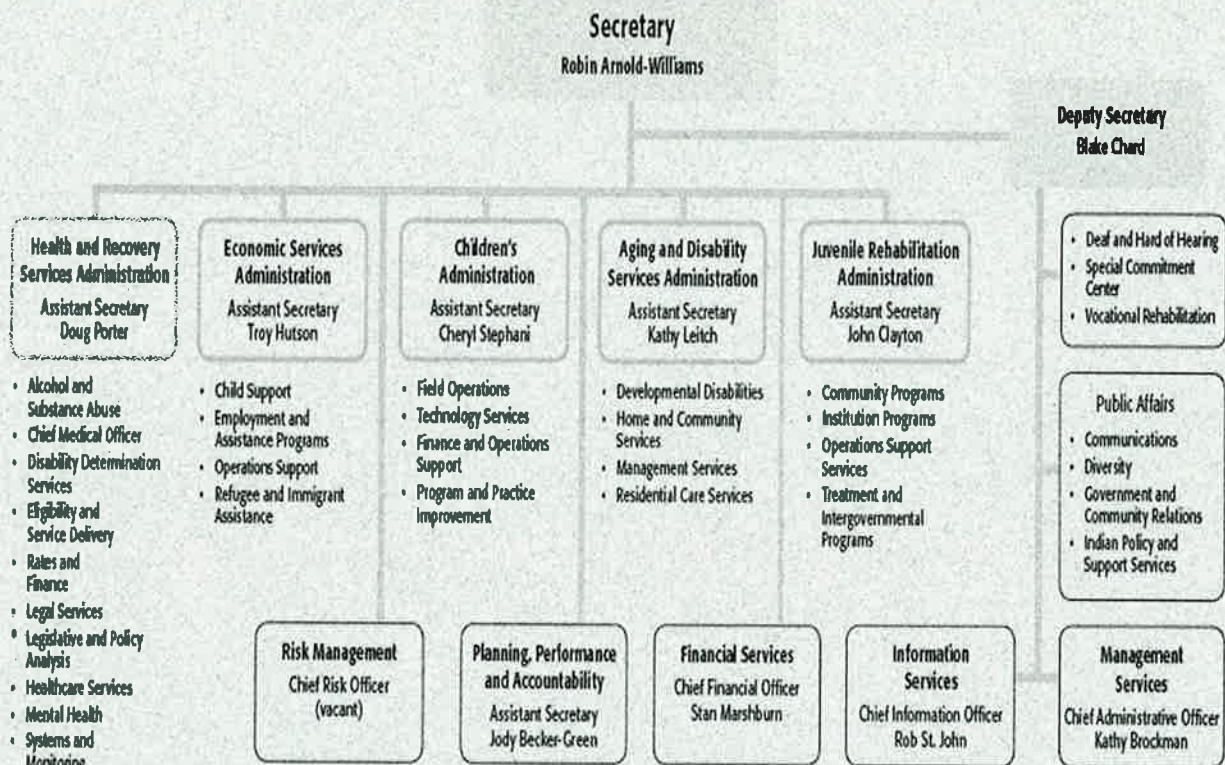
Elaine Grinnell, member, Jamestown S’Klallam Tribe



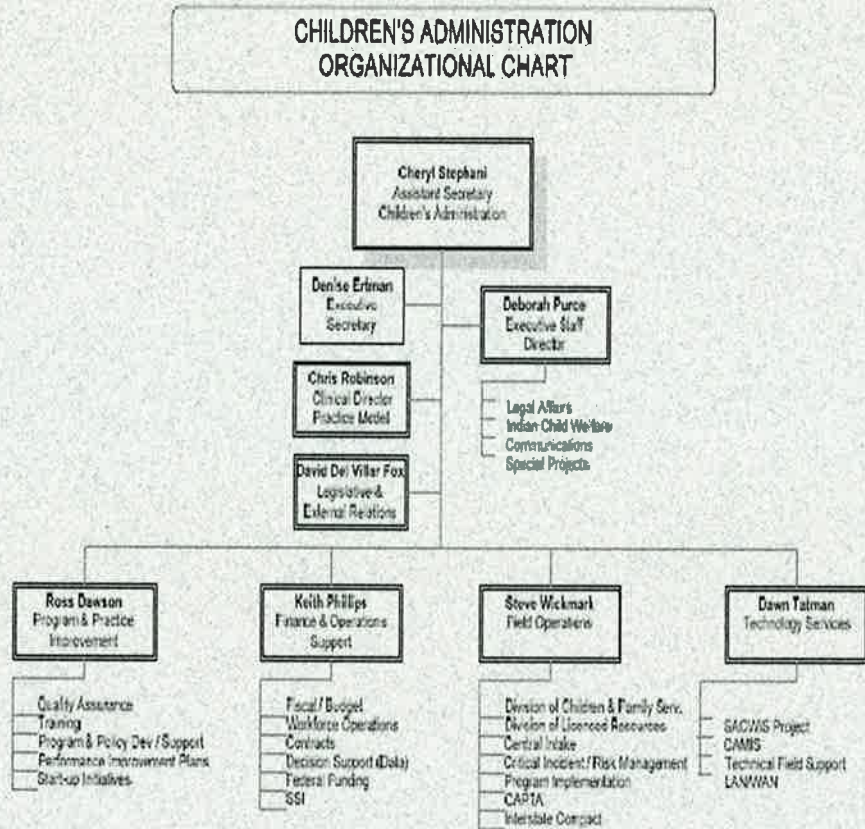
## APPENDIX F ORGANIZATIONAL CHARTS

### DSHS

### Department of Social and Health Services



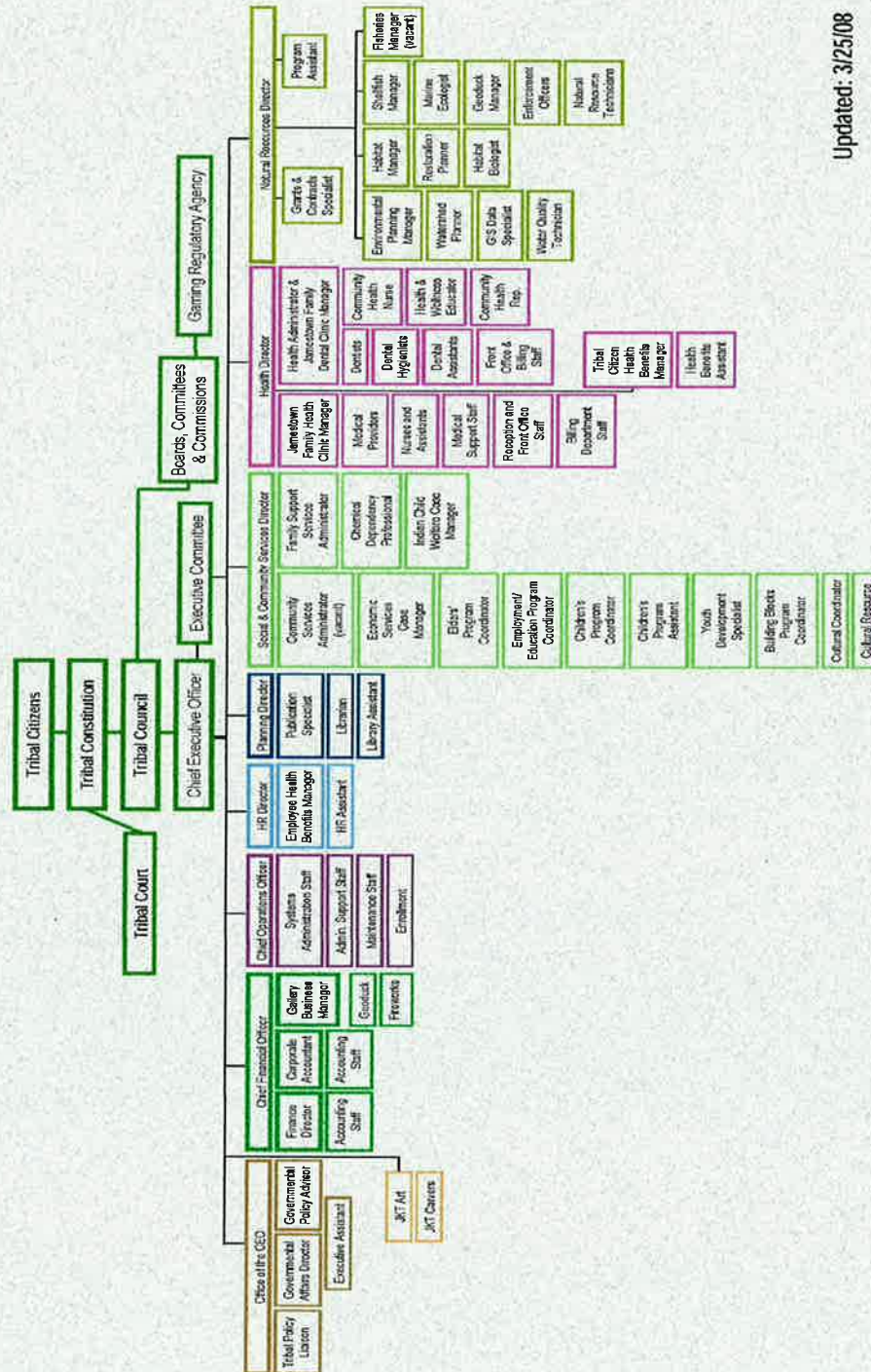




October 2007



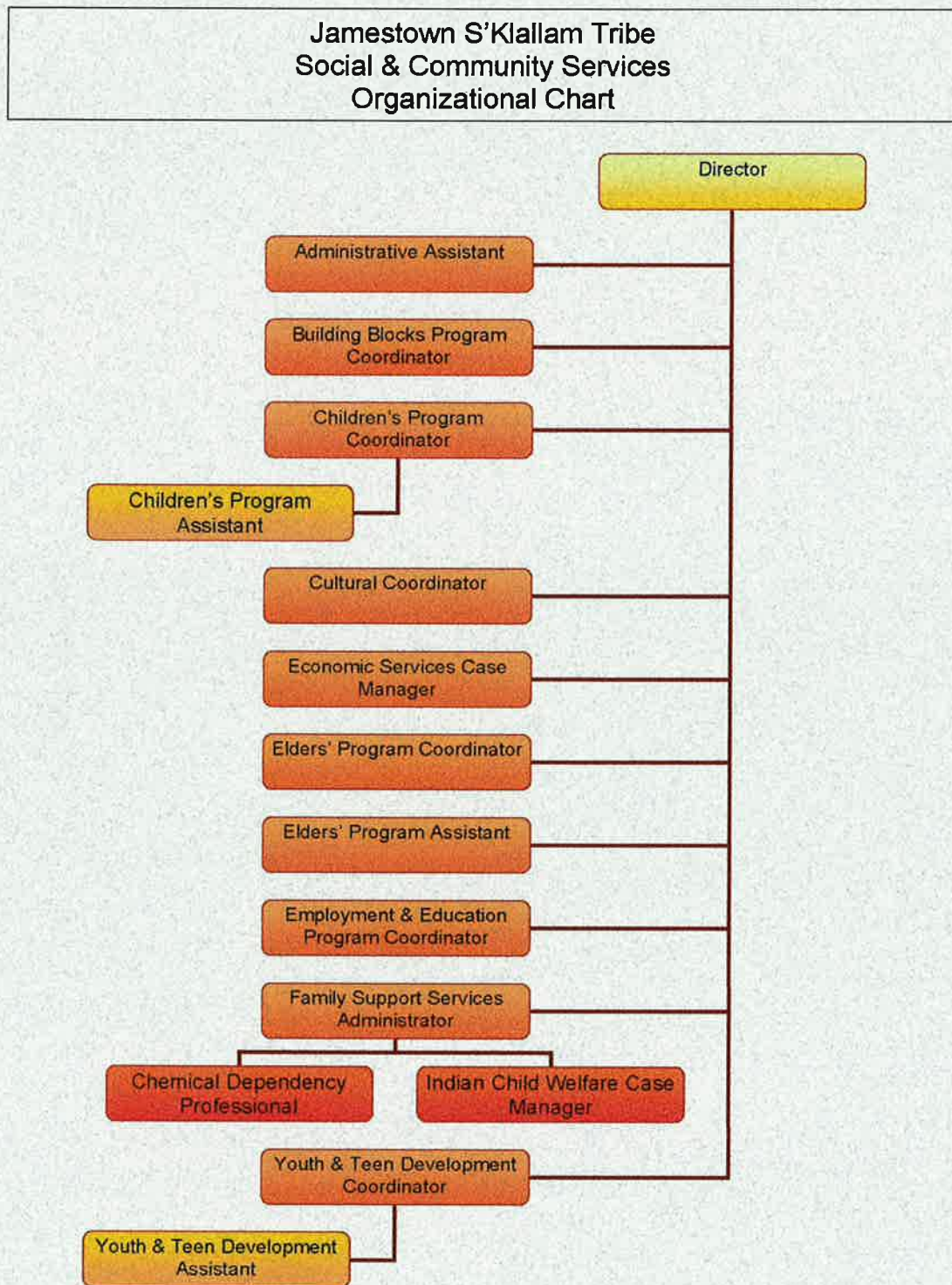
## Tribal Government Organizational Chart



Updated: 3/25/08



## Tribe's Social and Community Services Organizational Chart





**APPENDIX G**  
**INFORMATION SHARING AND CONFIDENTIALITY**

See the following web pages for information on how confidentiality is to be addressed under Washington State law and regulations, when social workers are sharing information:

*<http://apps.leg.wa.gov/wac/default.aspx?Cite=388-01>*

*<http://www1.dshs.wa.gov/esa/eazmanual/Sections/ConfidentialityA.htm#TopOfPage>*



**APPENDIX H**  
**TRIBAL COUNCIL RESOLUTION**





# JAMESTOWN S'KLALLAM TRIBE

1033 Old Blyn Highway, Sequim, WA 98382

360/683-1109

FAX 360/681-4643

## RESOLUTION # 24-08

WHEREAS, the Jamestown S'Klallam Indian Tribe ("Tribe") was Federally acknowledged by the Secretary of the Interior of the United States of America on February 10, 1981; and

WHEREAS, the Jamestown S'Klallam Tribal Council ("Council") is the governing body of the Tribe, in accordance with its Constitution adopted on November 19, 1983, pursuant to the provisions of Part 81 of the Code of Federal Regulations; and

WHEREAS, the health, safety, welfare, education, and regulation of treaty fishing, hunting, and gathering practices of the Indian people of the Tribe is the responsibility of the Council; and

WHEREAS, the attached memorandum of agreement ("MOA") is entered into between the Tribe and the Washington State Department of Social and Health Services Children's Administration ("CA"), acting in its representative capacity; and

WHEREAS, the MOA is based on the fundamental principles of the government-to-government relationship acknowledged in the 1989 Centennial Accord; and

WHEREAS, the purpose and objective of this MOA is to clarify the roles and responsibilities of the Tribe and CA and to enhance coordination and cooperation between the Tribe and CA in providing appropriate child welfare services to Indian children who are under the exclusive jurisdiction of the Tribe; and

WHEREAS, the purpose and objective of this MOA is to stipulate how CA will cooperate with the Tribe when its children are under the concurrent jurisdiction of the Tribe and CA or when its children are under state court jurisdiction and placed in the custody of CA; and

WHEREAS, this MOA recognizes the sovereignty of the Tribe and of the State of Washington and each respective sovereign's interests and responsibilities; and




WHEREAS, the overarching purpose of this MOA is the safety and well being of Indian children and the appropriate child welfare services to Indian children ; now

THEREFORE BE IT RESOLVED, that the Council does hereby approve that the Tribal Chairman, or in his absence, the Vice Chair, is hereby authorized to execute for and on behalf of the Tribe, this MOA.

  
W. Ron Allen, Tribal Chairman

**Certification**

I, Matthew C. Adams, Treasurer of the Jamestown S'Klallam Tribal Council of the Jamestown S'Klallam Tribe, do hereby certify that the resolution was adopted by a Phone Poll dated August 6-7-08 and where a quorum approved the resolution by vote of 4 FOR and 1 AGAINST with 0 ABSTAINING, which resolution will be formally approved at a meeting of the Jamestown S'Klallam Tribal Council to be held on the 7th day of August, 2008, at the Jamestown S'Klallam Tribal Office in Blyn, Washington,

  
Matthew C. Adams, Tribal Council Treasurer